

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: T. Shantha Raju Application No.: 10/719,603 Filed: November 21, 2003 For: METHODS AND COMPOSITIONS FOR GALACTOSYLATED GLYCOPROTEINS	Group Art Unit: 1644 Examiner: Schwadron, Ronald B. Confirmation No: 3279 Electronically filed on March 3, 2009
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO OFFICE COMMUNICATION
AND SUMMARY OF EXAMINER INTERVIEW**

Applicant now responds to the Office Communication mailed on December 11, 2008 ("Communication"). The period for reply has been extended to March 11, 2009 by the Petition for Two Month Extension of Time and requisite fee filed herewith.

SUMMARY OF EXAMINER INTERVIEW

Applicant thanks the Examiner for the interview conducted on March 3, 2009. We discussed the provisional obviousness-type double patenting rejection and the requirements of a responsive response to that provisional rejection.

RESPONSE TO OFFICE COMMUNICATION

The Examiner indicated that Applicant's previous reply filed on September 8, 2008 was not fully responsive to the prior Office Action mailed on May 8, 2008 because Applicant's response to the provisional obviousness-type double patenting rejection of claims 1-6, 25, 26, 28,

and 29 of the present application over claims 1-9, 20, 35, 37, 39, 41, and 43 of copending U.S. Application No. 10/744,844 (*see* paragraph 4 of the Office Action mailed on May 8, 2008) did not indicate whether a terminal disclaimer would be filed or the rejection traversed with an explanation of the traversal. *See* Communication. Because claims 1-9, 20, 35, 37, 39, 41, and 43 of copending U.S. Application No. 10/744,844 have not been allowed, Applicant respectfully requests that the present obviousness-type double patenting rejection be held in abeyance until such time as the Examiner finds allowable subject matter in copending U.S. Application No. 10/744,844. Should allowable subject matter be found in copending U.S. Application No. 10/744,844, Applicant will consider at that time whether to file a terminal disclaimer in the present application or traverse the rejection.

Applicant believes that this response is fully responsive to the Communication and to paragraph 4 of the Office Action mailed on May 8, 2008. Applicant respectfully requests consideration of these remarks and those in the prior Response to Office Action filed on September 8, 2008.

Should the Examiner believe that a telephone interview would expedite the prosecution of this application, applicant invites the Examiner to call the undersigned at the telephone number indicated below.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 07-0630.

Respectfully submitted,
GENENTECH, INC.

Dated: March 3, 2009

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